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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
efiling@kmob.com
cOAPilot@kmob.com

Office Action Summary	Application No.	Applicant(s)	
	10/565,085	NEMOTO, SHIGERU	
	Examiner BRADLEY IMPINK	Art Unit 3768	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 October 2011.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) Claim(s) 1-7,9,14-16 and 21 is/are pending in the application.
- 5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) Claim(s) _____ is/are allowed.
- 7) Claim(s) 1-7,9,14-16 and 21 is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on 13 October 2011 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/946)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on October 13, 2011 has been entered. Claims 1-7, 9, 14-16, and 21 have been amended. Claims 8 and 22-28 have been cancelled. Claims 1-7, 9, 14-16, and 21 are still pending in this application, with claims 1 and 3 being independent.

Drawings

2. In view of applicant's amendments, the previous drawing objections have been withdrawn.

Specification

3. In view of applicant's amendments, the previous specification objections have been withdrawn.

Claim Objections

4. In view of applicant's amendments, the previous claim objections have been withdrawn.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. The previous claim rejections based on indefiniteness in view of 35 USC 112, sixth paragraph have been withdrawn due to the amendments and applicant's statement that the claims no longer include means plus function limitations.

7. Claims 1, 3, 5-7, and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claims 1 and 3 recite the limitation "the **at least one** produced condition image" in line 14. There is insufficient antecedent basis for this limitation in the claim. It is suggested that either this phrase be changed to "the produced condition image" **or** the phrase "producing a condition image" in line 11 be changed to "producing **at least one** condition image" to obviate this rejection.

9. Claims 1 and 3 recite the limitation "the injection performing mechanism" in line 19-20. There is insufficient antecedent basis for this limitation in the claim. It is suggested that this phrase be changed to "the **at least one** injection performing mechanism" to obviate this rejection.

10. Claims 1 and 3 recite the limitation "**the** liquid" in line 4. There is insufficient antecedent basis for this limitation in the claim. It is suggested that this phrase be changed to "**a** liquid" to obviate this rejection.

11. Claim 5 recites the limitation "the **one** injection performing mechanism" in lines 3 and 7-8. There is insufficient antecedent basis for this limitation in the claim. It is suggested that this phrase be change to "the **at least** one injection performing mechanism" to obviate this rejection.
12. Claim 5 recites "**a** plurality of the injection conditions" in lines 2 and 4. It is unclear if this is referring to the same or different conditions. It is suggested that the phrase in line 4 be changed to "**the** plurality of the injection conditions" to obviate this rejection.
13. Claim 5 recites the limitation "the plurality of the produced condition images" in lines 5-6. There is insufficient antecedent basis for this limitation in the claim. It is suggested that the phrase be changed to "**a** plurality of the **at least one** produced condition image" to obviate this rejection.
14. Claims 6 and 7 recite "comprising a plurality of the injection performing mechanism". It is unclear if this is in addition to the at least one in claim 1 or meant to include the at least one in claim 1. It is suggested this phrase be changed to "wherein the at least one injection performing mechanism includes a plurality of injection performing mechanism" to obviate this rejection.
15. Claim 6 recites the limitation "a plurality of **the** liquids" in line 4. There is insufficient antecedent basis for this limitation in the claim. It is suggested this phrase be changed to "a plurality of liquids" to obviate this rejection.

16. Claim 7 recites the limitation "each of **the** liquids" in line 4. There is insufficient antecedent basis for this limitation in the claim. It is suggested this phrase be changed to "each of **a plurality of** liquids" to obviate this rejection.

17. Claim 21 recites the limitation "at least one of the injection condition of previous injection and the injection condition as a default". This phrase is unclear. It appears it is meant to state "at least one of a default injection condition and an injection condition of a previous injection". It is suggested this change be made to obviate this rejection.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

20. Claims 1-7, 9, 14-16, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baxter (European Patent Application Publication EP0985421) in view

of Zatezalo (US Patent Application Publication 2002/0007116), Wang (US Patent 5,530,796), and Bochkarev (US Patent Application Publication 2004/0057061).

21. Regarding claim 1, Baxter discloses screen displaying part for displaying a condition screen with its vertical axis representing an injection rate of the liquid and its horizontal axis representing an injection time period of the liquid (Baxter, Figs. 22a-c, status display 38, ramp status icon 142); condition entering part for accepting an input action of at least one injection condition including an injection rate of the liquid relative to the injection time period (Baxter, Figs. 21a-b, volume, time, rate, [0064]: when two of three parameters have been entered); condition storing part for storing the entered injection condition (Baxter, [0035]: enables the user to change the previously selected set of configuration parameters...information from a previous program is retained in the memory); image producing part for producing a condition image having a horizontal width corresponding to the injection time period and including at least the injection rate as text data for each of the injection conditions (Baxter, [0008]: a microprocessor is contained for generating user interface information on the display area, Fig. 22a-c, status display 38, ramp status icon 142, text information is displayed for the different injection conditions); image displaying part for displaying the at least one produced condition image in the condition screen at a vertical position in association with the injection rate and a horizontal position in association with the injection time period (Baxter, [0008]: a microprocessor is contained for generating user interface information on the display area, Fig. 22a-c, status display 38, ramp status icon 142, delay time 144,

the ramp-up 146, the level delivery 148, and the ramp-down 150, [0074]: the ramp status icon includes a likeness of the delay time, the ramp-up, the level delivery, and the ramp-down periods; each of these likenesses are interpreted as different condition images).

Baxter does not explicitly disclose at least one injection performing mechanism for performing injection of the liquid, state detecting part for measuring at least the elapsed time from the start of the injection of the liquid, and injection control part for controlling the operation of the injection performing mechanism in real time in accordance with the measured elapsed time and the stored injection condition, and wherein the condition entering part is configured to accept (i) an input action for moving the condition image upward or downward to thereby change the injection rate, or to accept (ii) an input action for moving a lateral end of the condition image leftward or rightward to thereby change the injection time.

Zatezalo discloses at least one injection performing mechanism for performing injection of the liquid (Zatezalo, Fig. 1, injection head unit 38, syringes 40, 42) in order to inject any suitable medium into a patient; state detecting part for measuring at least the elapsed time from the start of the injection of the liquid (Zatezalo, Fig. 3, duration display field 224, [0036]: a clock of elapsed time that starts from zero and spans the duration of the totality of the phases) in order to determine the elapsed time of the procedure; and injection control part for controlling the operation of the injection performing mechanism in real time in accordance with the measured elapsed time and

the stored injection condition (Zatezalo, Fig. 1, injection control unit 30, [0048], the "pause" and "hold" phases infer real time control of the injection means) in order to control the injection unit.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Baxter with the system of Zatezalo in order to inject any suitable medium into a patient, determine the elapsed time of the procedure, and control the injection unit, which provides an injection control system that is more readily adaptable to a wider range of contexts.

Baxter modified by Zatezalo does not explicitly disclose the user interface (condition entering part) as claimed by applicant. The user interface of Baxter relies on soft or hard keys as part of the user interface (see at least Fig. 4, keys 31, 33, 36, 44, 46, 50). Zatezalo discloses that as an equivalent to hard or soft keys a touch screen could be used as the user interface. The use of a touch screen implies a graphical user interface as shown for example in Fig. 3 of Zatezalo.

Wang discloses wherein the condition entering part is configured to accept (i) an input action for moving the condition image upward or downward, or to accept (ii) an input action for moving a lateral end of the condition image leftward or rightward (Wang, col. 3 lines 50-55: user interface adapter has user interface devices such as a touch screen installed on the display, col. 1, lines 48-50: a user interface is provided to move, resize, and edit any object on the display screen) in order to move and edit objects on a display screen.

Wang does not explicitly disclose that moving of the displayed objects thereby changes the injection rate or injection time. In other words Wang does not explicitly disclose using the moving and resizing of displayed objects as input to be used by the system to perform a desired function.

Bochkarev discloses a graphical user interface (Fig. 3) which involves moving of objects in both a vertical and horizontal direction in order to input parameters into the system which are then used to perform a desired function (in this case editing an image).

As both Bochkarev and Wang concerned with the same field of endeavor, namely graphical user interfaces, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine these inventions in order to provide a user friendly direct screen manipulation technique to change the characteristics of a display image to the extent to which the user desires and to provide a graphical user interface which can move and resize any object on the display screen and use this information as input to be used by the system to perform a desired function.

Since Zatezalo discloses a touch screen as an equivalent alternative to hard and soft keys, it would have been obvious to one of ordinary skill in the art at the time of the invention to substitute the user interface of Baxter with a touch screen user interface of Zatezalo modified by Wang and Bochkarev in order to provide a user interface for changing objects on the display screen and thus parameters of the injection system as this substitution would have yielded predictable results to one of

ordinary skill in the art at the time of the invention. Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention, that if the desired parameters to be changed included injection rate, time, and quantity, then these would be the objects provided to the user on the display screen for the user to modify.

22. Regarding claim 2, Baxter modified by Zatezalo, Wang, and Bochkarev discloses the invention essentially as claimed. Baxter discloses quantity calculating part for calculating an injection quantity of the liquid for each of the injection conditions, wherein the image producing part produces the condition image also including the injection quantity as text data (Baxter, Fig. 22a-c, [0064]: when two of three parameters have been entered, the master processor will calculate the final parameter).

23. Regarding claim 3, Baxter discloses screen displaying part for displaying a condition screen with its vertical axis representing an injection rate of the liquid and its horizontal axis representing an injection quantity period of the liquid (Baxter, Figs. 22a-c, status display 38, ramp status icon 142, since the vertical axis of the display image is the rate, the horizontal dimension corresponds to information regarding both time and quantity (the area under curve represents quantity)); condition entering part for accepting an input action of at least one injection condition including an injection time period of the liquid relative to the injection quantity (Baxter, Figs. 21a-b, volume, time, rate, [0064]: when two of three parameters have been entered); condition storing part for storing the entered injection condition (Baxter, [0035]: enables the user to change the previously selected set of configuration parameters...information from a previous

program is retained in the memory); image producing part for producing a condition image having a horizontal width corresponding to the injection quantity and including at least the injection rate as text data for each of the injection conditions (Baxter, [0008]: a microprocessor is contained for generating user interface information on the display area, Fig. 22a-c, status display 38, ramp status icon 142, text information is displayed for the different injection conditions, since the vertical axis of the display image is the rate, the horizontal dimension corresponds to information regarding both time and quantity (area under curve)); image displaying part for displaying the at least one produced condition image in the condition screen at a vertical position in association with the injection rate and a horizontal position in association with the injection quantity (Baxter, [0008]: a microprocessor is contained for generating user interface information on the display area, Fig. 22a-c, status display 38, ramp status icon 142, delay time 144, the ramp-up 146, the level delivery 148, and the ramp-down 150, since the vertical axis of the display image is the rate, the horizontal dimension corresponds to information regarding both time and quantity (area under curve), [0074]: the ramp status icon includes a likeness of the delay time, the ramp-up, the level delivery, and the ramp-down periods; each of these likenesses are interpreted as different condition images).

Baxter fails to disclose at least one injection performing mechanism for performing injection of the liquid, state detecting part for measuring at least the injection quantity from the start of the injection of the liquid, and injection control part for controlling the operation of the injection performing mechanism in real time in

accordance with the detected injection quantity and the stored injection condition, and wherein the condition entering part is configured to accept (i) an input action for moving the condition image upward or downward to thereby change the injection rate, or to accept (ii) an input action for moving a lateral end of the condition image leftward or rightward to thereby change the injection quantity.

Zatezalo discloses at least one injection performing mechanism for performing injection of the liquid (Zatezalo, Fig. 1, injection head unit 38, syringes 40, 42) in order to inject any suitable medium into a patient; state detecting part for measuring at least the injection quantity from the start of the injection of the liquid (Zatezalo, Fig. 3, duration display field 226, [0036]: the total volume of fluid that has been expended over the totality of the phases) in order to determine the total fluid injected during the procedure; and injection control part for controlling the operation of the injection performing mechanism in real time in accordance with the detected injection quantity and the stored injection condition (Zatezalo, Fig. 1, injection control unit 30, [0048], the "pause" and "hold" phases infer real time control of the injection means) in order to control the injection unit.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Baxter with the system of Zatezalo in order to inject any suitable medium into a patient, determine the elapsed time of the procedure, and control the injection unit, which provides an injection control system that is more readily adaptable to a wider range of contexts.

Baxter modified by Zatezalo does not explicitly disclose the user interface (condition entering part) as claimed by applicant. The user interface of Baxter relies on soft or hard keys as part of the user interface (see at least Fig. 4, keys 31, 33, 36, 44, 46, 50). Zatezalo discloses that as an equivalent to hard or soft keys a touch screen could be used as the user interface. The use of a touch screen implies a graphical user interface as shown for example in Fig. 3 of Zatezalo.

Wang discloses wherein the condition entering part is configured to accept (i) an input action for moving the condition image upward or downward, or to accept (ii) an input action for moving a lateral end of the condition image leftward or rightward (Wang, col. 3 lines 50-55: user interface adapter has user interface devices such as a touch screen installed on the display, col. 1, lines 48-50: a user interface is provided to move, resize, and edit any object on the display screen) in order to move and edit objects on a display screen.

Wang does not explicitly disclose that moving of the displayed objects thereby changes the injection rate or injection quantity. In other words Wang does not explicitly disclose using the moving and resizing of displayed objects as input to be used by the system to perform a desired function.

Bochkarev discloses a graphical user interface (Fig. 3) which involves moving of objects in both a vertical and horizontal direction in order to input parameters into the system which are then used to perform a desired function (in this case editing an image).

As both Bochkarev and Wang concerned with the same field of endeavor, namely graphical user interfaces, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine these inventions in order to provide a user friendly direct screen manipulation technique to change the characteristics of a display image to the extent to which the user desires and to provide a graphical user interface which can move and resize any object on the display screen and use this information as input to be used by the system to perform a desired function.

Since Zatezalo discloses a touch screen as an equivalent alternative to hard and soft keys, it would have been obvious to one of ordinary skill in the art at the time of the invention to substitute the user interface of Baxter with a touch screen user interface of Zatezalo modified by Wang and Bochkarev in order to provide a user interface for changing objects on the display screen and thus parameters of the injection system as this substitution would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention, that if the desired parameters to be changed included injection rate, time, and quantity, then these would be the objects provided to the user on the display screen for the user to modify.

24. Regarding claim 4, Baxter modified by Zatezalo, Wang, and Bochkarev discloses time period calculating part for calculating an injection time period of the liquid for each of the injection conditions, wherein the image producing part produces the condition image also including the injection time period as text data (Baxter, Fig. 22a-c, [0064]):

when two of three parameters have been entered, the master processor will calculate the final parameter).

25. Regarding claim 5, Baxter modified by Zatezalo, Wang, and Bochkarev discloses the invention essentially as claimed. Baxter modified by Zatezalo, Wang, and Bochkarev discloses the invention essentially as claimed discloses wherein the condition entering part accepts an input action of a plurality of the injection conditions for the one injection performing mechanism (Baxter, Figs. 21a-b, volume, time, rate, [0064]: when two of three parameters have been entered), the condition storing part stores a plurality of the injection conditions (Baxter, [0035]: enables the user to change the previously selected set of configuration parameters...information from a previous program is retained in the memory), the image displaying part displays the plurality of the produced condition images sequentially arranged horizontally in the condition screen (Baxter, [0008]: a microprocessor is contained for generating user interface information on the display area, Fig. 22a-c, status display 38, ramp status icon 142, delay time 144, the ramp-up 146, the level delivery 148, and the ramp-down 150, [0074]: the ramp status icon includes a likeness of the delay time, the ramp-up, the level delivery, and the ramp-down periods; each of these likenesses are interpreted as different condition images), the injection control part sequentially controls the operation of the one injection performing mechanism in accordance with the plurality of the injection conditions (Zatezalo, [0035]: the result is a three phase protocol; the injection controller of Zatezalo is capable of sequentially controlling the different phases).

26. Regarding claim 6, Baxter modified by Zatezalo, Wang, and Bochkarev discloses the condition storing part stores a plurality of the injection conditions (Baxter, [0035]): enables the user to change the previously selected set of configuration parameters...information from a previous program is retained in the memory), a plurality of the injection performing mechanism (Zatezalo, Fig. 1, syringes 40, 42) in order to inject a plurality of fluids into a patient, wherein the condition entering part accepts an input action of at least one of the injection conditions for each of a plurality of the liquids (Zatezalo, Fig. 3, display fields 210, 220 [0025]: corresponding to contrast medium and flushing medium, respectively; touch fields for the entry of control parameters) in order to program injection conditions for each injectable fluid, and the injection control part sequentially controls the operation of the plurality of the injection performing mechanism in accordance with the plurality of the injection conditions (Zatezalo, [0035]: the result is a three phase protocol) in order to control the different phases of the injection procedure.

27. Regarding claim 7, Baxter modified by Zatezalo, Wang, and Bochkarev discloses a plurality of the injection performing mechanism (Zatezalo, Fig. 1, syringes 40, 42) in order to inject a plurality of fluids into a patient, wherein the image producing part produces the condition image in a difference color for each of the liquids (Zatezalo, [0034]: data fields may assume different shades with each medium), and the image displaying part displays the produced condition image for each of the liquids in a different color in the condition screen (Zatezalo, Fig. 3, display fields 210, 220, data

fields 214, 216) in order to differentiate between the various phases and fluids being injected.

28. Regarding claim 9, Baxter modified by Zatezalo, Wang, and Bochkarev discloses rate storing part for storing an upper limit rate of the liquid injection in advance (Baxter, [0038-0039]: the programming screen prompts the user to enter the rate...if the programmed values exceed an allowable range preprogrammed into the master microprocessor); and an alarm outputting part for outputting an alarm when the injection rate of the stored injection condition exceeds the upper limit rate (Baxter, [0039]: if the programmed values exceed an allowable range preprogrammed into the master microprocessor, an out of range alarm will be activated).

29. Regarding claim 14, Baxter modified by Zatezalo, Wang, and Bochkarev discloses review entering part for accepting an input action of a review instruction (Baxter, [0074]: upon pushing the "view setting" soft key, a ramp infusion parameter screen shows the entered parameters for the infusion) and wherein the image displaying part enlarges the text data of the condition image when the review instruction is entered [Baxter seems to show this limitation - see Figs. 22a-c, particularly time remaining in Figs. 22b (before pressing "view settings") compared to time remaining in Fig. 22c (after pressing "view settings"), the time text appears to be larger, however, Baxter doesn't explicitly disclose this limitation. Wang discloses a user interface which would be capable of enlarging text (Wang, col. 3 lines 50-55: user interface adapter has user

interface devices such as a touch screen installed on the display, col. 1, lines 48-50: a user interface is provided to move, resize, and edit any object on the display screen)].

30. Regarding claim 15, Baxter modified by Zatezalo, Wang, and Bochkarev discloses wherein the image producing part produces the text data of the condition image as a combination of a numerical value and its unit (Baxter, Figs. 22a-c) and it is obvious according to Wang, as stated above, that any object can be resized, therefore Wang discloses the image displaying part enlarges only the text data of the numerical value when the review instruction is entered (Wang, col. 1 lines 48-50, a user interface is provided to move, resize and edit any object on the display).

31. Regarding claim 16, Baxter modified by Zatezalo, Wang, and Bochkarev discloses wherein the image displaying part displays the text data of the unit outside the condition image when the review instruction is entered (Baxter, Figs. 22a-c).

32. Regarding claim 21, Baxter modified by Zatezalo, Wang, and Bochkarev discloses wherein the condition storing part stores at least one of the injection condition of previous injection and the injection condition as a default (Baxter, [0066]: a dose infusion retained in the program memory), the image producing part produces the condition image from the injection condition stored before new entry of the injection condition (Baxter, Fig. 22a-c, [0066]: the screen will initially display the parameters from that infusion), and the condition entering part accepts edit operation of the injection condition displayed on the condition screen as an input action of the new

injection condition (Baxter, [0079]: personnel can modify the set of configuration parameters using the “change settings” key).

Response to Arguments

33. Applicant’s arguments, see page 13, last 2 lines and page 14, first 2 lines, filed October 13, 2011, with respect to the rejection(s) of claim(s) 1-9, 14-16, and 21-26 under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection, necessitated by applicant’s amendment is made in view of Baxter modified by Zatezalo, Wang, and Bochkarev as disclosed above. Applicant argues that the references used in the prior rejection do not disclose changing objects on a graphical user interface (GUI) in order to input parameters for controlling the system. The previous rejection taught moving and resizing objects on a GUI, but not using this information as input, however this is not seen as novel as it is known in the art in view of Bochkarev as discussed above that GUIs can be used to input parameters into a system in order to perform a desired function. Therefore this is within the level of ordinary skill and would have been an obvious modification to one of ordinary skill in the art at the time of the invention.

Conclusion

34. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRADLEY IMPINK whose telephone number is (571)270-1802. The examiner can normally be reached on Monday through Friday 8:30 am to 4:30 pm EST, alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le can be reached on (571) 272-08230823. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRADLEY IMPINK/
Examiner, Art Unit 3768

/LONG V. LE/
Supervisory Patent Examiner, Art Unit 3768